IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

ORDER

SB CIVIL WRIT PETITION NO.4673/1994
The State of Rajasthan V/s The Judge, Labour Court & anr.

DATE OF ORDER : : : 17.1.2007

PRESENT
HON'BLE MR. JUSTICE PREM SHANKER ASOPA

Dr.A.S. Khangarot, Dy.GA, for the petitioner.
Mr.Manoj Pareek, for the respondents.

By this writ petition, the State Government has challenged the order dated 6.4.1994 (Annexure-5) passed on an application under Section 33 (C)(2) of the Industrial Disputes Act, 1947 (In short “the Act”) by the Labour Court.

Submission of Dr.Khangarot, Dy. Govt. Advocate the Government is that the calculation made by the Labour Court is not in accordance with the emoluments likely to be drawn by the respondent workman during the period in dispute on the post of Gardner whereas the respondent workman has given the details of the payment before the Labour Court.

The Labour Court after considering the entitlement of the workman awarded difference of wages totalling to Rs.27,985/- with a direction to make the payment

upto 30.6.1994, failing which he will be entitled to interest @ 12% from 18.11.1988.

Counsel for the respondent workman submits that the Labour Court has rightly calculated the difference of wages.

Heard counsel for the parties and perused the record of the writ petition and further considered rival submission of the counsel for the parties.

After going through the Labour Court's order on the application under Section 33 (C)(2) of the Act, I am of the view that the amount has rightly been calculated after taking into consideration the provisions of Minimum Wages Act.

In view of above, the writ petition has no force and the same is dismissed.

(P.S. ASOPA) J.

ummed/-